

State of Nebraska Draft Acceptable Use Policy State Data Communications Network Revised August, 2003

Application and Intent

This policy shall apply to all users of the State Data Communications Network (SDCN). It is intended to provide minimum standards for acceptable use, including clarification of uses which are consistent or inconsistent with this policy. Any state agency, board, commission or affiliate organization may adopt policies or standards more stringent than those contained herein.

Definitions

State Data Communications Network (SDCN) shall mean any data communications facility contracted for or provided by the State of Nebraska, including State-provided Internet access and network connections to State computers. The Department of Administrative Services is responsible for administration of the SDCN and for ensuring compliance with applicable laws, regulations and policies. ~~The purpose of the SDCN is to provide a vehicle that allows data communications to occur across interstate and intrastate boundaries.~~ The purpose of the SDCN is to provide a vehicle that allows data communications to occur between agencies and across interstate and intrastate boundaries. Use of the SDCN is subject to the policies and standards contained in this document.

All use of the State Data Communications Network (internet logs and email) is the property of the State of Nebraska and is subject to the open records laws of the State of Nebraska. End users should not have any expectations of privacy regarding personal business conducted on the State Data Communications Network.

Policy Compliance

Each agency, board, commission or affiliate organization using the SDCN is responsible for the activity of its users and for

ensuring that its users are familiar with this Acceptable Use Policy. Failure to comply with this policy may constitute grounds for disciplinary action (see Section VI).

This policy applies to all users of the SDCN, or any other networks accessed through a SDCN connection, including the Internet. Compliance with this policy and the acceptable use policies of any other networks accessed through a SDCN connection is also subject to enforcement by the owner of that network. For example, abuse occurring on a network outside the geographical boundaries of Nebraska will be considered a violation of this Acceptable Use Policy, and a violation of other applicable local, state or federal policies if access to that network was acquired via the SDCN.

It is normally the responsibility of those networks to enforce their own acceptable use policies. The Department of Administrative Services will make every effort to inform its clients of any restrictions on the use of networks to which it is directly connected as such information is made available by the network provider.

Should a violation of this Acceptable Use Policy occur, the individual who committed the violation shall be personally liable for his/her actions. Lack of knowledge of or familiarity with this policy shall not release an individual from such liability.

Acceptable Uses

Use of the SDCN shall be consistent with the goals of:

- simplifying and disseminating information;**
- encouraging collaborative projects and sharing of resources;**
- aiding technology transfer within and outside the State of Nebraska;**
- fostering innovation and competitiveness within Nebraska;**
- building broader infrastructure in support of the performance of professional, work-related activities.**

Acceptable uses of the SDCN include:

1. To provide and simplify communications with other state agencies, units of government, and citizens.
2. To communicate and exchange professional development information, including online discussion or debate of issues in a field of knowledge.
3. To exchange communications in conjunction with professional associations, advisory committees, standards activities, or other purposes related to the user's professional capacity.
4. To apply for or administer grants or contracts for work-related applications.
5. To carry out regular administrative communications in direct support of work-related functions.
6. To announce new products or services within the scope of work-related applications.
7. To access databases or files for purposes of work-related reference or research material.
8. To post work-related questions or to share work-related information.
9. To communicate to children at home, teachers, doctors, day care centers, and baby sitters, to family members to inform them of unexpected schedule changes, and for other essential personal business. The use of the State's telecommunications systems for essential personal business shall be kept to a minimum and shall not interfere with the conduct of state business.

Unacceptable Uses

Unacceptable uses of the SDCN, subject to remedial action (see Section VI), include:

1. Violation of the privacy of other users and their data. For example, users shall not intentionally seek information on, obtain copies of, or modify files, other data or passwords belonging to other users, or represent themselves as another user unless explicitly authorized to do so by that user.
2. Violation of the legal protection provided by copyright and licensing laws applied to programs and data. It is assumed that information and resources available via the SDCN are private to those individuals and organizations owning or holding rights to such information and resources, unless specifically stated

otherwise by the owners or holders, or unless such information and resources clearly fall within the statutory definition of a public record. It is unacceptable for an individual to use the SDCN to gain access to information or resources not considered a public record without the granting of permission to do so by the owners or holders of rights to such information or resources.

3. **Downloading of software in violation of license agreements.**
4. **Violation of the integrity of computing systems. For example, users shall not intentionally develop programs that harass other users or infiltrate a computer or computing system and/or damage or alter the software components of a computer or computing system.**
5. **Use of the SDCN for fund-raising or public relations activities unrelated to an individual's employment by the State of Nebraska.**
6. **Use inconsistent with laws, regulations or accepted community standards. Transmission of material in violation of any local, state or federal law or regulation is prohibited. It is not acceptable to transmit or knowingly receive threatening, obscene or harassing material.**
7. **Malicious or disruptive use, including use of the SDCN or any attached network in a manner that precludes or significantly hampers its use by others. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer worms or viruses, and use of the SDCN to make unauthorized entry to any other machine accessible via the network.**
8. **Unsolicited advertising, except for announcement of new products or services as described in #6 under "Acceptable Uses."**
9. **Use of the SDCN for recreational games.**
10. **Use in conjunction with for-profit ~~or~~ activities, unless such activities are stated as a specifically acceptable use.**
11. **Use for private or personal business [ventures such as second sources of income, other family member business interests, etc.](#)**
12. **Misrepresentation of one's self, an agency, or the State of Nebraska when using the SDCN.**

Remedial Action

Any agency, board, commission or affiliate organization within which a violation of this policy occurs shall take immediate remedial action. To assist agencies in carrying out this responsibility, the Department of Administrative Services (DAS) shall notify the agency, board, commission or affiliate organization upon learning of a possible violation. DAS shall be notified of any remedial action taken in response to a violation of this policy.

Remedial action may include disciplinary proceedings against the individual or individuals responsible for the violation of this policy, including termination of employment. If, in the judgment of DAS, it is believed that criminal activity has taken place within the SDCN infrastructure, DAS will notify the proper authorities and will assist in any investigation and prosecution of any offense.

DAS accepts no responsibility for traffic which violates the acceptable use policy of any other networks connected, either directly or indirectly, to the SDCN. If the owner of any network connected to the SDCN notifies DAS of a violation of their acceptable use policy, DAS shall inform the agency, board, commission or affiliate organization within which such violation occurred. It shall be the responsibility of the agency, board, commission or affiliate organization to take appropriate remedial action and notify the owner of the connected network.